

II. SUBSTANCE OF INTERVIEW WITH EXAMINER

The applicant's attorney, A. Blair Hughes spoke with the examiner on July 26, 2010 about the examiner's allegation that applicant's November 23, 2009 Restriction Response was defective. The examiner and applicant's representative came to an agreement that applicant's response was not defective. The examiner invited the applicant to respond to the Notice by reiterating its response to the earlier Restriction Requirement and/or by presenting new arguments traversing the examiner's Restriction Requirement.

The Applicant's 11/23/2009 Restriction response is reproduced below. Entry and consideration of the Reply is respectfully requested.

III. REITERATION OF 11/23/2009 RESPONSE POSITIONS

A. THE RESTRICTION REQUIREMENT TRAVERSE

The examiner's restriction requirement is traversed because the currently pending claims all possess a single inventive concept. i.e., common special technical features that are unique to the claimed invention. In particular, claim 1 is amended above to direct it to a "liner". As a result, independent claim 1 and all remaining claims, by virtue of their dependence upon claim 1, share at least the common special technical feature of "a liner that includes a first portion and a second portion, the first and second portions comprising different ratios of filler to matrix".

The examiner suggested that DE3424867 anticipated claim 1. However, there is absolutely no disclosure in DE342867 of a liner that includes the special technical feature recited above. For at least this reason DE342867 does not destroy the unity of invention and all pending claims must, therefore, be examined together.

B. THE PROVISIONAL ELECTIONS

The Applicant provisionally elects to continue with the examination of claims 1, 10-18 and 29-32 directed to the Group I invention, namely a liner.

The Applicant further elects the following species for examination purposes:

- The species of claim 15 wherein the filler is a flake.
- The species of claim 32 wherein the filler is a metallic material.

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